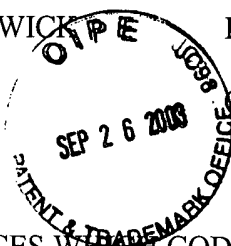


## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Mike FARWICK Examiner: Kerr, K

App. No.: 09/963,790

Filed: September 27, 2001

For: NUCLEOTIDE SEQUENCES WHICH CODE FOR THE *deaD* GENE

Group Art Unit: 1652

## RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

This is in response to the Office Action mailed September 9, 2003, which required Applicants to restrict prosecution of the claims in this application to:

- Group I. Claims 1-9, 12, and 27 (drawn to polynucleotides coding for the *deaD* gene, vectors and host cells thereof);
- Group II. Claims 9 and 10 (drawn to coryneform bacteria with an attenuated *deaD* gene);
- Group III. Claims 13-26 (drawn to methods of making L-amino acids); or
- Group IV. Claims 28 and 29 (drawn to methods for isolating nucleic acids related to the *deaD* gene).

Applicants hereby elect Group I (claims 1-9, 12, and 27-drawn to polynucleotides coding for the *deaD* gene, vectors and host cells thereof). Applicants note that the Examiner has indicated that the claims of Groups III and IV will be rejoined if the claims of Group I are found to be allowable. Applicants reserve the right to file divisional applications for the non-elected claims in due course.

Applicants submit that the application is now in condition for examination on the merits.

Respectfully submitted,

Date : September 26, 2003

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\* Practice is limited to matters and proceeding before federal courts and agencies.